

**TOWN OF BASS LAKE
SAWYER COUNTY
PLANNING COMMITTEE & BOARD OF SUPERVISORS
Thursday, May 7, 2015**

MINUTES

Chairperson Olson called the meeting to order at 6:30 pm. Members Present: Chairperson Olson, Phil Nies, Dorothy "Doc" Brueggen, Dich Theis, Joel Valentin, Mark Lastrup and Helen Chevrier. Members Absent: Dan Tyrolt

Clerk Warshawsky affirmed agenda was posted in compliance with open meetings law.

Motion by Brueggen, seconded by Valentin to approve the agenda. Motion carried.

Motion by Nies, seconded by Theis to approve the minutes of the April 2, 2015 regular meeting with the 2 corrections from Nies. Motion carried.

Olson reported that all correspondence received is in regards to the public reserve strip and will be presented during Public Reserve Strip Ordinance under new business.

ZONING:

Rezone Application: Thomas G. Butterfield et al – Tony E. Butterfield, agent Part of Gov't lot 3, S17, T 40N, R 8W; Parcel 5301. Site Address: 12888 W County Hwy E Doc#248563 and #393553. Property has 17 total acres. Change from District Industrial One to District Residential/Recreational One. Purpose of request is to construct a dwelling. There are no industrial activities being conducted on the property. Olson presented the application. Applicant was not present. Olson reported that the County sent 15 letters, 4 were returned with no objection. Olson ask if there was anyone in favor or anyone opposed who would like to speak. No response. Olson turned the discussion over to the committee. Chevrier asked if the property next door is commercial. Olson said that he was wondering that as well. Chevrier reported that when she visited the property, there were big trucks. Nies stated that he has concerns about rezoning 17 acres to residential because is conceivable that there could be 35 houses and Nies stated that he cannot support that. Nies tried to contact Tony Butterfield and could not reach him. Olson stated that he would not want to restrict the applicant to one dwelling. Nies replied that the committee will have to table or limit the number of dwellings. Olson agreed and added that he could find anyone to get on the property. Olson asked if anyone looked at the property. Chevrier looked at the property. Nies distributed aerial maps. Theis asked if this rezone would be a different legal description. Nies answered yes. Discussion followed. Olson asked the committee what they would like to do. Chevrier suggested tabling to get more information. Discussion followed. Motion by Brueggen, seconded by Chevrier to table the application due to lack of information and inability to access the property. Motion carried.

Conditional Use Application: Vaughn Skille – Milestone Materials, operator. Part of Gov't lot 1 and part of the NW 1/4 NE 1/4, S33, T 40N, R 9W; Parcels 1201 and 5102 (known as the Skille gravel pit). Volume 486 Records Page 36. Pit area is 16.52 acres out of the total 54.99 acres and is zoned Agricultural One. Permit is desired for the three (3) year renewal of conditional use permit #97-007 for the location/operation of a non-metallic mineral extraction, including a rock crusher which was approved at public hearing on May 19, 1995 and renewed most recently on May 18, 2012. Olson presented application. Ron Peterson with Milestone Materials was present representing the owners. Olson reported that the County sent 5 letters, 0 letters were received. Olson asked Peterson if he aware of prior restriction. Peterson answered yes. Nies asked if they were rock crushing. Peterson answered yes. Olson stated that the hours of operation are 7:00 am – 6:00 pm Monday – Friday, no holidays same as the prior approval with expanded hours for rock crushing. Discussion followed. Motion by Chevrier, seconded by Theis to approve the application with the same conditions including compliance with the requirements of NR 135 Nonmetallic Mining Reclamation and Sawyer County Ordinance for Nonmetallic Mining Reclamation as the prior approval. Motion carried.

Findings of fact:

1. It would not be damaging to the rights of others or property values.
2. It would not be detrimental to ecology, wildlife, wetlands or shorelands.
3. It would not create an air quality, water supply or pollution problem.

OLD BUSINESS: None

NEW BUSINESS:

Olson has received requests to mark the Northwoods Beach public access points. Olson reported that the Planning Committee asked the Board for permission to mark 14 points not to exceed \$6,000.00. Olson added that Jesse Suzan gave the Town a volume discount. Suzan hopefully will be starting in 2-3 weeks. Olson reported that once the access points are surveyed, the Planning Committee is looking to install signs with posts so the public knows the points are public. Lastrup asked why the Planning Committee is just surveying Northwood Beach. Olson replied that it's a starting point and fits with in this year's budget. Discussion followed. Edmond Packee asked for specifics on 14 access points. Nies stated that Suzan looked at the plat and said there are 14 access points. Nies added that if there are 15 access points, Suzan will survey 15. Discussion followed.

Motion by Nies, seconded by Brueggen to table the request from Fred Ruedy to use the public reserve strip until the surveys are complete. Motion carried.

Olson stated that he is going to approach the Public Reserve Strip Ordinance by first reading the Planning Committee Analysis from the April meeting since most people were not there. Olson is then going to make a motion, read correspondence and then take testimony. Olson reviewed and compiled his notes on the public reserve strip ordinance into one document, the Town of Bass Lake Planning Committee Public Land Analysis: Grindstone Lake Public Reserve Strip, LCO Public Reserve Strip, Platted Town Roads, or Publicly Held Parcels (e.g., Parks). Olson read the analysis (on file). Olson reported that over the last few years violations have increased. Olson presented his motion: to recommend the Town Board send back the public reserve strip ordinance to the Planning Committee for further review and recommendations. The Planning Committee will review ordinance and offer recommendation to Town Board after: the Town Public Property surveys are completed, violations are identified, and the intentions are "clarified and expanded" to incorporate the prior Town policies and practices. Basis: An example which may not have been clear in the proposed ordinance was the intent of "removal of items that have been placed at some time prior", where intention was to follow the Towns' prior practices and policies on enforcement. The intent may have to be clarified to incorporate the Towns' prior policies and practices such as: intent is not to make property owners move prior long-term existing homes that infringe on the public reserve strip setbacks. Intent is to continue Town prior practices and policies such as road right-of-way and side property line setbacks to public lands have been looked at differently than the public reserve strip setbacks and public shoreline enforcement. To continue to follow prior Town practices and policies to handle utilities (septic lines, etc.) that infringe on public land on a case by case basis. Olson stated that the motion is based on input received, discussions and feedback. Motion seconded by Lastrup. Discussion followed. Nies explained that the Town has allowed 2 things (utilities) to run under Town roads. Theis asked if there have been any recent surveys done. Olson answered that the only recent surveys have been done by property owners. Discussion followed. Nies stated that Suzan will use the start and finish described in the 1967 suit, except for the part of the shoreline that has disappeared since 1937. Olson asked if there was any further discussion. Valentin stated that he is reserving his vote for Town Board Meeting. Discussion followed. Motion carried.

Olson read correspondence from 8 letters (on file).

Olson asked for pertinent testimony and requested that testimony be limited to 5 minutes and that all discussion be directed to the Committee. Terry McHugh requested his observation of some Committee members acting unprofessionally during correspondence reading be included in the minutes. Lengthy discussion on Public Reserve Strips Ordinance followed. Edmond Packee made a presentation and requested that his handouts be entered into the minutes (on file). Olson asked that anyone who made comments to submit them in writing to Clerk Warshawsky to be included in the file.

Motion by Brueggen, seconded by Lastrup to adjourn at 8:22 pm. Motion carried.